



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Shacklett et al.

United States

Application No.: 09/349,737

Filing Date: July 8, 1999

For: FABRIC PADS WITH A PRINTED DESIGN
AND A METHOD OF MAKING FABRIC
PADS WITH A PRINTED DESIGN

Group Art Unit: 1771

Examiner: Christopher C. Pratt

Attorney

Docket No.: 99-40132-US

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
Washington, D. C. 20231

Sir:

Applicant hereby respectfully appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed April 22, 2004, finally rejecting claims 2-9, 14-19, and 63-75 of the above-referenced application.

1. STATUS OF APPLICANT

This Notice is on behalf of a small entity. A "Verified Statement Claiming Small Entity Status" has been filed in the above-referenced application.

EXPRESS MAIL CERTIFICATE (37 CFR 1.10)

Express Mail Label No. EV481405891US

Date of Deposit October 22, 2004

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Dolores A. Springfield

Signature: Dolores A. Springfield

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e), the fee for filing the Notice of Appeal for a small entity is:

Notice of Appeal fee due \$170.00

Applicant is also enclosing a courtesy copy of the Petitions for a total of Three Months Extension of Time and remaining Fee Transmittal.

3. FEE PAYMENT OF \$170.00

Attached is a check in the amounts of \$170.00 for the Appeal.

4. FEE DEFICIENCY OR OVERPAYMENT

Please charge any additional extension and/or fee required, or credit any overpayment due, to Deposit Account No. 18-0586.

A duplicate of this transmittal is attached.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'TJ McWilliams', is written over a horizontal line.

Thomas J. McWilliams
Registration No. 44,930

REED SMITH LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103
Telephone: (215) 851-8100
Facsimile: (215) 851-1420

October 22, 2004